I am writing to express my opinions regarding the propopsed judgement against Microsoft, in the ongoing anti-trust case. From what I have seen, the PFJ does not even begin to address the harm already caused, let alone preventing Microsoft from doing any further damage to their competition in the software arena.

I am a computer professional, and I've worked in this field for 8 years. In my career, I have worked extensively with the end-users of computer systems, answering their computer-related questions and helping them to resolve their computer problems. I also hold an M.S. in Information and Communication Sciences. As a result of these things, I have a strong, practical background on which to base my opinions, as well as an understanding of the business theories underlying competition in the technical arena.

In my opinion, the most serious threat to competition is Microsoft's control of their applied programming interfaces (APIs), and their absolute refusal to allow any other operating system to make use of these APIs. The use of these APIs is required for any competing operating system which hopes to be able to run software originally designed for Microsoft operating systems. At present, Microsoft controls the software market because of the lock-in designed into their products, each product reinforcing their main product: Windows.

For example: a friend sends me a Microsoft Word document. To use this, I not only must have Microsoft Word (the same version), but also a Microsoft operating system on which to run Word. If I choose not to buy any Microsoft operating systems, I am unable to read documents created by Microsoft Word, even if I purchase that program separately! If the APIs required to run Word were publicly available, on the other hand, competitors could produce an emulator which would let me run Word on a different operating system (FreeBSD, for example, or Linux).

The PFJ does not address this need in an adequate fashion. The way in which APIs are defined makes it far too easy for Microsoft to completely ignore this requirement, and continue making it impossible for anyone to run a Microsoft product without the Microsoft operating system. Until the APIs are opened up to competitors, Microsoft will continue to be a monopoly. Once other operating systems can run MS Word, or MS Excel, however, competition will begin to creep into market, and consumers will ultimately benefit. To illustrate this with a similar case: if Intel had been allowed to prevent other chip manufacturers from running programs written for the Intel platform, AMD chips would not exist, and without competition between the two CPU makers, computer speeds would be far lower than they are today.

Finally, please note from my email address that I am an AT&T

employee. When AT&T was judged a monopoly in 1982, the company was split apart (a far more drastic step than the one proposed in the PFJ against Microsoft). The result of this has been strong competition in the long distance markets, where a monopoly could no longer be sustained by the stable customer base of the local carriers. In the local markets, however, because the decision in 1982 and the Telecom Act of 1996 were either overly lenient or not sufficiently enforced, Verizon, US West (now Qwest) and Bell South have retained effective monopolies in their regions. I believe that the steps taken against Microsoft should be designed to not only remedy the software giant's current monopoly, but also to prevent it from being able to easily re-establish one in the future. By making Microsoft's APIs public-domain property, MS would be forced to focus on providing a good product to win customers rather than relying on lock-in due to their existing position. If any existing Microsoft customer could freely migrate to a new operating system and continue to use their old Microsoft software, it will solve the major problem that many CLECs faced when trying to compete against the Baby Bells.

Thank you for taking the time to read this, and if you have any questions, please let me know.

Chris Pohlabel